VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:

Regular meeting minutes.

REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION
APRIL 11, 2019
7:30 P.M.

PROCEEDINGS HAD and testimony taken before

the VILLAGE OF VILLA PARK PLANNING & ZONING

COMMISSION, taken at Villa Park Village Hall, 20

South Ardmore Avenue, Villa Park, Illinois, before

MARY E. FAILLO, C.S.R., qualified in the State of

Illinois.
BOARD MEMBERS PRESENT:

MR. ROBIN WHITEHURST, Chairman

MR. MIKE ORLOWSKI

MR. LARRY CALVERT

MR. KEN JACKSON

MR. DOMINICK ROMANO

MS. LINDA J. BELLOW

MR. JACK LANENGA

ALSO PRESENT: MR. PATRICK GRILL, Director of Community Development
CHAIRMAN WHITEHURST: I call this regular meeting of the Village of Villa Park Planning & Zoning Commission to order. We'll take a roll call here.

Dominick Romano.

COMMISSIONER ROMANO: Here.

CHAIRMAN WHITEHURST: Jason Jarrett.

COMMISSIONER JARRETT: (No response.)

CHAIRMAN WHITEHURST: Larry Calvert.

COMMISSIONER CALVERT: Here.

CHAIRMAN WHITEHURST: Morgan Rickel.

COMMISSIONER RICKEL: (No response.)

CHAIRMAN WHITEHURST: Ken Jackson.

COMMISSIONER JACKSON: (No response.)

CHAIRMAN WHITEHURST: Linda Bellow.

COMMISSIONER BELLOW: Here.

CHAIRMAN WHITEHURST: Mike Orlowski.

COMMISSIONER ORLOWSKI: Here.

CHAIRMAN WHITEHURST: Jack Lanenga.

COMMISSIONER LANENGA: Here.

CHAIRMAN WHITEHURST: And we have a quorum.

Okay. We're going to move to the fourth
agenda item, which is approval of minutes. We have several tonight. We have minutes from PZ-17-0016 on 2/14, minutes from PZ-18-0010 from 2/14/2019, and minutes from February 14, 2019. And I think I'll start first by seeing if there's a motion to approve them all at the same time.

COMMISSIONER LANENGA: So moved.

CHAIRMAN WHITEHURST: So moved. Any questions or comments any commissioners have that they want us to separate the minutes into separate approvals? Seeing no comments or questions, so with that being the case -- we did have a second; correct?

COMMISSIONER ORLOWSKI: I'll second it.

CHAIRMAN WHITEHURST: Second on the motion. So we'll vote by roll call.

Mr. Romano.

COMMISSIONER ROMANO: Yes.

CHAIRMAN WHITEHURST: Mr. Calvert.

COMMISSIONER CALVERT: Yes.

CHAIRMAN WHITEHURST: Ms. Bellow.

COMMISSIONER BELLOW: Yes.

CHAIRMAN WHITEHURST: Orlowski.
COMMISSIONER ORLOWSKI: Yes.

CHAIRMAN WHITEHURST: Lanenga.

COMMISSIONER LANENGA: Yes.

CHAIRMAN WHITEHURST: With this, the motion passes, and the minutes are approved.

(Whereupon, the public hearings were held.)

CHAIRMAN WHITEHURST: All right. I don't have the agenda in front of me. I'm sure there's a variety of -- here we go.

Any commissioner comments? Any public comments on non-agenda items? Any Village Board liaison comments? Any Village Staff comments?

MR. GRILL: Yes. I would like to note there is a commissioner recognition tomorrow evening. I know five of you have indicated you would be there. Unfortunately, I won't be there. And I do want to mention that there will be a couple of new public hearings next month. Kenilworth Townhomes is coming back.

CHAIRMAN WHITEHURST: Oh, great. Very good news.
MR. GRILL: And then BP Amoco is coming back with those diesel pumps.

CHAIRMAN WHITEHURST: Okay. All right. A motion to adjourn?

COMMISSIONER ORLOWSKI: I have a comment.

CHAIRMAN WHITEHURST: Another commissioner comment.

COMMISSIONER ORLOWSKI: Yeah. Is the Village -- are they aware of the gas station proposal in Elmhurst on St. Charles and 83?

MR. GRILL: Yes.

COMMISSIONER ORLOWSKI: Are we -- I'm just looking at how that's going to effect us getting out of -- can the Village go there and make any comments, or the residents got to do it?

MR. GRILL: I know this has been discussed, but I don't know. I'll just have to get back to you on that.

COMMISSIONER ORLOWSKI: That's the only comment and concern I have.

CHAIRMAN WHITEHURST: Where is it going?

MR. GRILL: Where the Krave Restaurant is, and
where Back Alley Burger used to be.

CHAIRMAN WHITEHURST: That whole thing they want to make a gas station?

MR. GRILL: Gas station and a Starbucks where the Back Alley Burger used to be.

COMMISSIONER ORLOWSKI: It will be a nightmare.

COMMISSIONER JACKSON: We need another Starbucks in Villa Park. Come on.

CHAIRMAN WHITEHURST: All right. Motion to adjourn.

COMMISSIONER LANENGA: So moved.

CHAIRMAN WHITEHURST: All those in favor.

(Whereupon, there was a collective aye response from the Commission.)

CHAIRMAN WHITEHURST: Adjourned.

(Whereupon, the meeting was adjourned.)
STATE OF ILLINOIS  )
     ) SS.
COUNTY OF DU PAGE  )

I, MARY FAILLO, C.S.R. No. 084-004565, duly qualified by the State of Illinois, County of Du Page, do hereby certify that at the request of the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, subject to the usual terms and conditions of County Court Reporters, Inc., reported in shorthand the proceedings had and testimony taken at the public hearing of the above-entitled cause, and that the foregoing transcript is a true, correct and complete report of the entire testimony so taken at the time and place hereinabove set forth.

Mary Faillo
MARY FAILLO, CSR, RPR

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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:    )
                      )
Special Use for fueling ) Petition PZ-17-0016
station and final PUD, )
Lot 1, Munky Allen's    )
resubdivision.         )

PUBLIC HEARING OF THE
PLANNING & ZONING COMMISSION
APRIL 11, 2019
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MR. MIKE ORLOWSKI
MR. LARRY CALVERT
MR. KEN JACKSON
MR. DOMINICK ROMANO
MS. LINDA J. BELLOW
MR. JACK LANENGA

ALSO PRESENT:  MR. PATRICK GRILL, Director of Community Development
CHAIRMAN WHITEHURST: Okay. We actually have two hearings this evening. We have petition PZ-17-0016, Special Use for fueling station and final PUD, lot one, Munky Allen's re-subdivision. Richard J. McMahon, Petitioner. Is there someone here representing the petitioner this evening? Yes, please. If you want to stand up, we will -- no? Even though it says continuation here, it technically is not a continuation, so we need to follow procedure, have you come up. I'll need you to state your name and address for the record, and I'll also need you to be sworn in.

MR. MCMAHON: My name is Richard James McMahon. I'm with Buck's, Inc. My address is 2500 Brickvale Road in Elk Grove Village.

(Whereupon, the witness was sworn in under oath.)

CHAIRMAN WHITEHURST: Great. Thank you. So I think we're hearing this again because of a zoning ordinance change, and Director Grill that's why you were standing up is to come speak, so please go ahead.
Mr. McMahon, you just be available for questions if commissioners have any. Thank you.

MR. GRILL: This item is before you strictly from just a procedural standpoint. Since the Village adopted a new zoning ordinance this past summer, all actions taken on this item previously, in essence, became null and void, and we needed to have another public hearing on this to be able to move it forward.

What's presented tonight is exactly what you approved previously, and if you were so inclined you could make a motion to approve this as drafted in the Staff memo dated April 2nd, 2019.

CHAIRMAN WHITEHURST: Okay. So, again, what we have in front of us is exactly what this commission recommended to the Village Board to approve.

MR. GRILL: Correct.

CHAIRMAN WHITEHURST: But it has not gone to the Village Board yet.

MR. GRILL: Has not gone.

CHAIRMAN WHITEHURST: Great. Thank you. So we do have a normal set agenda that we go through
public hearings with. We just heard -- we didn't really go to presentation of petitioner, because Staff was informing us as to where we were in this process, but I need to ask. Are there any members of the public wishing to speak or ask questions in regards to this petition tonight? I see no one acknowledging that they have any questions or comments. So commissioners. Any questions from commission members.

Let the record show Mr. Jackson joined us at 7:36, is what my watch says.

Any questions? No? No questions. I don't think there will be any closing comments, Mr. McMahon; correct?

Okay. So if there's no further comments from the public we're going to close the public hearing. Any discussion by commission members?

Then we'll entertain a motion. This is a hearing. It's not a continuation, so we need to make a motion even though it's repetitive.

COMMISSIONER ORLOWSKI: We can do it as written. I'd like to make a motion to approve
application PZ-17-0016 as stated and written in the document.

   COMMISSIONER LANENGA:  Support.

   CHAIRMAN WHITEHURST:  Is there a second?

   COMMISSIONER ROMANO:  Second.

   CHAIRMAN WHITEHURST:  Second.  Thank you.  Any questions or comments on the motion?  Hearing none, we'll vote by roll call.

   Romano.

   COMMISSIONER ROMANO:  Yes.

   CHAIRMAN WHITEHURST:  Calvert.

   COMMISSIONER CALVERT:  Yes.

   CHAIRMAN WHITEHURST:  Jackson.

   COMMISSIONER JACKSON:  Abstain.

   CHAIRMAN WHITEHURST:  Bellow.

   COMMISSIONER BELLOW:  Yes.

   CHAIRMAN WHITEHURST:  Orlowski.

   COMMISSIONER ORLOWSKI:  Yes.

   CHAIRMAN WHITEHURST:  Lanenga.

   COMMISSIONER LANENGA:  Yes.

   CHAIRMAN WHITEHURST:  And I too vote yes.  So, with this, our motion to approve is a
recommendation. It will pass to the Village Board. They can either accept, reject, or modify our recommendation.

(Whereupon, the hearing was concluded.)
STATE OF ILLINOIS  
COUNTY OF DU PAGE

I, MARY FAILLO, C.S.R. No. 084-004565, duly qualified by the State of Illinois, County of Du Page, do hereby certify that at the request of the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, subject to the usual terms and conditions of County Court Reporters, Inc., reported in shorthand the proceedings had and testimony taken at the public hearing of the above-entitled cause, and that the foregoing transcript is a true, correct and complete report of the entire testimony so taken at the time and place hereinabove set forth.

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County Court Reporters, Inc.
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VILLAGE OF VILLA PARK  
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF:       )
)                      
Rezoning and Annexation  ) Petition PZ-18-0010
of property located at  )
17W411 Manor Lane.       )

PUBLIC HEARING OF THE  
PLANNING & ZONING COMMISSION  
APRIL 11, 2019  
7:30 P.M.

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MR. DOMINICK ROMANO
MS. LINDA J. BELLOW
MR. JACK LANENGA

ALSO PRESENT: MR. PATRICK GRILL, Director of

Community Development
CHAIRMAN WHITEHURST: Okay. So we have another similar situation with petition PZ-18-0010, rezoning and annexation of property located at 17 West 411 Manor Lane. Manor Lane, L.L.C. is the petitioner. It's similar, but I think there is some new information. Is someone from Manor Lane here to present? Please come forward. Director Grill, is this truly a continuation then?

MR. GRILL: Yes.

CHAIRMAN WHITEHURST: Okay. So just a reminder that this is a continuation of a former hearing. You're still sworn in. Everything we talked about then still applies, but I will have you state your name and address just so the court reporter can make sure it's reflected in the record.


CHAIRMAN WHITEHURST: Okay.

MR. BIANCO: We submitted -- I think last time you were looking for the entrance to be changed or no entrance off of Manor. You wanted entrances only off of Villa, so we gave you a revised drawing
showing that. And you were looking for more landscaping information, and we gave you a more detailed landscape plan, but it's not done by a landscape architect, and it probably still -- it's borderline whether it would comply with the code. Our key shows more plants than the drawing actually shows, and we would be happy to give you the plat and the key. I know that the key still -- not more than 25 percent of the trees could be of one type, and the key still would indicate too high of a percentage of the honey locusts. We, you know, would work with you, if anybody wanted to give input as to where the trees are located. We would be happy to talk to them. We will hire a landscape architect if we get to the next stage.

CHAIRMAN WHITEHURST: Okay. So these two drawings that were modified, the entrance off of Manor has been eliminated.

MR. BIANCO: Correct.

CHAIRMAN WHITEHURST: Okay. So really you're looking for one curb cut off of Villa.

MR. BIANCO: Correct.
CHAIRMAN WHITEHURST: And then you updated a landscape plan and provided us more information than you had before.

MR. BIANCO: Right. But it's still probably not where it needs to be, and I understand that.

CHAIRMAN WHITEHURST: Okay. All right. Anything else you want to add at this point?

MR. BIANCO: No.

CHAIRMAN WHITEHURST: So we'll move into Staff input.

MR. GRILL: At the last meeting this Commission did seek additional information, some changes to the plan, which are reflected in the revised drawings in your packet this evening. Of note, in addition to the elimination of the access point off of Manor Lane, they've already added an eight-foot fence along the western property line. They have submitted a landscape plan, which is a significant improvement over what had previously been submitted.

Staff did note a number of issues where the plan didn't -- numbers didn't match up with symbols on the site plan. Species didn't quite
match up. They used a shade tree as an ornamental tree. I think maybe the architect may have just gotten confused in terms of his species. Red maples in and of themselves typically are more shade trees. Now, there are such things as Japanese red maples, which are more ornamental, but obviously the species type shown was the red maple that does grow to a pretty significant height. In addition, they were lacking in their tree species mix. All correctable, and I don't think that the petitioner has any issues with making that meet. So.

This plan, I believe, is what this Commission was looking for, and certainly I believe is an improvement over what was originally submitted in the first place. And Staff is supportive of the plan with some modifications to the landscape plan so that it meets our code and doesn't conflict with itself in terms of its numbers and symbols of trees on the site plan.

CHAIRMAN WHITEHURST: Okay. So you're suggesting that we have a motion that would indicate that the landscaping must meet our current landscape
requirements through the building permit process?

MR. GRILL: I would be comfortable with that. I believe certainly if they added the number of trees and shrubs as indicated in the key somewhere else on the site plan that they would be able to meet our code, and if they changed some species. And if you would permit me, I did receive an e-mail from Commissioner Jarrett that I would like to read into the record for this specific item. He says, I would like to thank the Manor Lane petitioner for listening to our comments at the prior meeting and working to implement them. Based on my review of the current proposal, I would be in support of the rezoning and annexation for the project with the condition that discrepancies in the proposed landscape plan be worked out to Staff's satisfaction. And that was from Commissioner Jarrett.

CHAIRMAN WHITEHURST: Is there any Staff particular concerns, or does -- on this property line to the west where they have an eight-foot fence, in term of landscaping, anything in
particular there that Staff feels the landscape plan
is trying to address, or it's beyond ordinance, or
you're just looking for compliance with the
ordinance?

MR. GRILL: Well, Staff is always looking for
compliance with the ordinance. Do I think that the
petitioner went above and beyond on that western
property line? With the exception of adding the
eight-foot fence and a couple of shrubs, it meets
the landscape plan.

CHAIRMAN WHITEHURST: Okay. All right. Thank
you. We're going to move into the public
participation and questions. Any members of the
public wishing to speak in regards to this
petition?

You're going to have to state your name
and address.

MS. SCHMIDT: My name is Tammy Schmidt. I live
at 17W445 Manor, Villa Park.

CHAIRMAN WHITEHURST: Thank you.

MS. SCHMIDT: I wanted to address the comments
that were made at the last meeting. Mr. Forest
blamed his tenants for being the bad neighbors. I don't agree. The letter I received four years ago regarding the fence and trees to help the dust and smoke, the trees never got put in. Mr. Forest owned the property, and when you knocked down all the houses all hours of the day with no permits, we had to call the County because you started letting them dump on the property. Or how about the basement that was left unfilled for months, maybe even over a year, with just water.

I have never felt so bullied in my life by their renters, by the other businesses down at the other end of my street, because they all talked, they all communicate, and I have been bullied, and my neighbors know that for a fact.

From my standpoint, they are not trustworthy, and that's what I brought paperwork to show you all. Here is my property before they moved in, and here is the letter I received and what I had to deal with as they knocked the property down. If they don't obey the rules now, how am I -- even though you said they would get it in writing, how am
1 I to believe it's going to be -- they're going to
2 follow the rules then? Thank you.
3       CHAIRMAN WHITEHURST: Thank you. Any other
4 members of the public wishing to speak? Come on up,
5 and we're going to have you be sworn in, sir. Do
6 you intend to speak tonight as well?
7       AUDIENCE MEMBER: Not at the moment.
8       CHAIRMAN WHITEHURST: My advice would be, get
9 sworn in now. You don't have to speak if you get
10 sworn in, okay.
11                (Whereupon, the witnesses were sworn
12                in under oath.)
13       CHAIRMAN WHITEHURST: Please, I need to have
14 you state your name and address for the record.
15       MR. NORMAN: Robert Norman, 1 North 641 Villa
16 Avenue. I'm just here to comment on 600 Villa
17 Avenue, which is this gentleman's property. Since
18 day one, as Tammy said, it's been a nightmare. I'm
19 northeast of that property. Kitty corner. The
20 daily winds come from the southwest. I cannot keep
21 my windows open anymore because of the dust, the
22 diesel smoke, the noise, period, okay.
I'm just here to comment on these fellows not being good neighbors like they promised to be in the beginning when they took this over, okay. So I don't see where them adding another piece of property is going to improve anything as far as I'm concerned, you know. They're pretty much -- and it's maybe not the fellows that own the property. It's the people they lease to. It's this trucking outfit mainly. They have another company in there called V3. Don't have any problem with those guys. It's these damn trucks, these semis loading, banging around at 4:30 in the morning. It's ridiculous. I called, and you can probably just check the Villa Park Police records. They'll tell you how many times they've been out there. Check the County records. You'll find out how many times they've been out there, okay. Because there was a question about who belonged to this thing, okay. So for one quick incident, I called -- I was outside, had people over. They're back there with that end loader. The wind is coming out of the southwest rigorously, 20 miles an hour plus, okay. Dust,
grit. And I'm six, 700 feet away from this property, and I can feel the grit hitting you. I called the County. Just so happens, they send out a lieutenant, because he was the only one available, and we're standing there talking. Guess what? Me and the lieutenant get dusted with grit. And he was supposed to report it to the County and whatever. It never happened. You know, it's still the same.

You know, I think they've got a 5:00 in the morning work time over there. It's not unusual for 20 to 5:00, quarter to 5:00 to be banging around with that end loader. Back-up beeper, rattling the bucket. It's bad for me. I can imagine how it is for these people, because they're right next to them, okay.

So I'm just letting you know, they're not good neighbors, okay, and I don't know how you -- matter of fact, I got a question for you people. How does this become incorporated into Villa Park? They just buy it, or how does the County give up this piece of property to Villa Park, and Villa Park takes it over? Do you just come up with a set of
plans and then --

    CHAIRMAN WHITEHURST: The owner is petitioning to be annexed in, and they can petition to annex into the Village because of their location and adjacencies. We're not attorneys that do any of that stuff. That's above our pay grade, but that's what's going on.

    MR. NORMAN: Okay.

    CHAIRMAN WHITEHURST: So it's the owner that's asking for that.

    MR. NORMAN: Okay. I was just wondering what the process was. Okay. All right. That's all I've got to say. Thank you.

    CHAIRMAN WHITEHURST: Thank you. Anyone else wishing to speak? Okay. And, sir, the comments -- we're talking about the tenants that are in the former lumberyard space, and not property owned by the petitioner that's seeking to do this development.

    MR. NORMAN: Yes.

    CHAIRMAN WHITEHURST: So we'll move into questions from the Commission. Any questions from
COMMISSIONER JACKSON: Yeah. I've got a question. Forgive my ignorance, but, Patrick, why is this under our jurisdiction but yet not under our laws? Why are they coming to us for all of these exceptions? I mean, we're the Planning & Zoning Committee. But yet the Villa Park Police can't seem to take care of any issues that seem to arise between the tenants and the homeowners.

MR. GRILL: I can't speak for Villa Park Police. I can't tell you. I'm sure that the -- one individual who just spoke lives in the County, so he thought his method of appeal was to the County.

COMMISSIONER JACKSON: Okay. My understanding in the past, the Villa Park Police don't have jurisdiction there, or do they?

MR. GRILL: The Villa Park Police do have jurisdiction at 600 North Villa where the current building is and the current trucking company is, but not on the vacant piece of property, no.

CHAIRMAN WHITEHURST: Until annexation.

MR. GRILL: Correct.
MS. SCHMIDT: Mr. Grill, you told me to call the police when the other ones had the fire. The County came out, and then they called your fire department to come out.

MR. GRILL: The County fire department?

MS. SCHMIDT: Villa Park Fire Department came out, but the County came out for the property that is half County and half Villa Park. The other one that came in to be zoned.

MR. GRILL: The one further west.

MS. SCHMIDT: Correct.

MR. GRILL: Yes. What was the issue again?

MS. SCHMIDT: They had a fire with no running water. They sent out the County. DUCOM sends out the County. Then the County --

MR. GRILL: The County doesn't have a fire department.

MS. SCHMIDT: The Du Page County Sheriff called your fire department to come and put out the fire.

MR. GRILL: Correct. Right.

MS. SCHMIDT: So when we call --

CHAIRMAN WHITEHURST: So -- and I think I
talked about this the last time we had a hearing is
that we're looking at -- we're Planning & Zoning
Commission. We're looking at a very specific
petition, and it's for this piece of property, 600
-- or not 600 but 411 -- where they're specifically
looking to develop and annex in.

We all, I think, can empathize with the
neighbors on what you're going through with how the
other property is being used, and the fact that
there's dust and everything else, but we need to
look at this petition for its merits, okay. We
can't be looking at it and blame the owner for
another property. So we need to look at it, and
what our job as a Planning & Zoning Commission is to
look at it that way, so we want to have a
conversation about this property and, you know,
anything that would be objectionable about
development on this property. That's what we're
focused on tonight. I think all the other issues
you point out, don't misread us as saying they're
invalid. They're not. It's just this isn't the
right venue or forum for that, okay. There's other
more appropriate venues and ways to --

MS. SCHMIDT: Well, I've tried that in the past and have gotten nowhere.

CHAIRMAN WHITEHURST: I'm sorry. I can't do anything more than what we've tried --

MS. SCHMIDT: Where do you suggest I go?

CHAIRMAN WHITEHURST: I would talk to the Village Board and indicate the way that the tenants and owner are operating that piece of property has a negative impact on your property that I don't think anyone at the Village level ever thought was going to be used that way and was going to have this kind of an impact on you. So that's what I would suggest.

MS. SCHMIDT: And I've tried that approach, and I was told there would be follow-up, and I still have not heard from anyone in three years, so you can understand my frustrations.

CHAIRMAN WHITEHURST: I do, but I've got a meeting. We've got to move this along.

MS. SCHMIDT: I understand. Let's move it along.
CHAIRMAN WHITEHURST: Thank you. Thank you. I appreciate your patience, but --

Okay. So any other questions from the commissioners.

COMMISSIONER CALVERT: I have a question. On page two, alteration number nine, to eliminate the rolling gate, but on page two of the drawing it says, new rolling gate.

MR. BIANCO: I think the architect forgot to leave that out. He erased the gate, but he left the words on there.

COMMISSIONER CALVERT: Again, is there still a door on the west side of the building?

MR. BIANCO: That's accurate, yes.

COMMISSIONER CALVERT: There is a door.

MR. BIANCO: If it's showed on the plan --

COMMISSIONER CALVERT: If it's not, then it's not.

MR. BIANCO: Yeah.

COMMISSIONER CALVERT: And then what is the plan for this area to the west that's 25 feet wide by the width of the building?
MR. BIANCO: Green space.

COMMISSIONER CALVERT: I thought it looked like it was pavement.

CHAIRMAN WHITEHURST: 28 foot. It wraps around the building to the west.

MR. BIANCO: Oh, I'm sorry. The 28 foot is in our parking lot, yes.

CHAIRMAN WHITEHURST: A paved area to get around to that side.

MR. BIANCO: The 28 feet from between Ms. Schmidt's property --

CHAIRMAN WHITEHURST: The left elevation is showing people door and overhead door.

MR. BIANCO: Yes. That is not changed.

COMMISSIONER CALVERT: On the west side?

MR. BIANCO: On the west side.

COMMISSIONER CALVERT: It wasn't showing on this drawing here. That's why I asked.

CHAIRMAN WHITEHURST: Well, I think that's more of a roof plan, and that is a building elevation, so this is --

(Whereupon, there was a discussion)
off the record.)

MR. BIANCO: On the west side of the building we still intend to have an overhead door and a swing door.

CHAIRMAN WHITEHURST: So that elevation is correct. And that's why that paving wraps around, to get to the door.

All right. Any other questions? We can see if the petitioner has any closing comments.

Sir.

MR. BIANCO: The only thing I would add is we're probably going to be adding over 50 trees to the property. I know that it's after the fact with Ms. Schmidt, but I think code probably requires a number in the low 40s, and our key shows, I think, 54, so that's what our intention --

CHAIRMAN WHITEHURST: So your intent is to provide a number of trees that you have shown in the key, and then you're going to work with Staff to make sure that the plant types --

MR. BIANCO: Exactly.

CHAIRMAN WHITEHURST: -- and your landscape
MR. BIANCO: Correct.

CHAIRMAN WHITEHURST: Okay. So any other further comments by the public on the petition? Hearing none, we'll move into discussion by commission members. Commission members.

COMMISSIONER ORLOWSKI: I'll start. And I'll -- basically because of what he's requesting, I don't look at this as a normal, just look at what's in front of us, because you are looking to get annexed. I have spent some time over by your current facility on a nice, warm day, and, yes, I would not want to live there. Anywhere near there. And I actually worked at Hines Lumber when it was functioning, and there were rules that no truck was to start any type of activity until 7:00 in the morning, and there was only two trucks there, period.

Me, your worst enemy right now is you're a terrible neighbor. I like what you have in front of me, but because of that, moving forward, I'm going to vote no.
COMMISSIONER JACKSON: We've got some issue here that the plans don't match what they say, so I don't think we can approve it tonight, even if we could take a vote, but I agree with Commissioner Orlowski. I wouldn't want somebody to come park a truck in my front yard and blow dust all over my house and seem to not care. I mean, I agree with you.

COMMISSIONER ROMANO: I need some clarification, because -- are the complaints focused on the petition or the company that's leasing the space?

COMMISSIONER JACKSON: The company.

COMMISSIONER ROMANO: Okay. So we're here to think about the petitioner and his company.

COMMISSIONER JACKSON: Right. And I voiced my opinion. But, yeah, we don't have accurate --

COMMISSIONER ROMANO: But we can approve on contingencies --

COMMISSIONER JACKSON: Yes.

COMMISSIONER BELLOW: Is this going to be an owner-occupied building?
MR. BIANCO: Yes.

CHAIRMAN WHITEHURST: So the complaints and most of the discussion is in regard to the former lumber yard property that the petitioner owns in addition to this parcel, and the tenants that are leasing that space. Because my understanding is the petitioner's company is not housed at the former lumberyard.

MR. BIANCO: We are there, yes.

CHAIRMAN WHITEHURST: Oh, you are.

MR. BIANCO: Yes. We have a pickup truck and 8 to 10 office people, so we're not --

CHAIRMAN WHITEHURST: Okay. So you are housing that location.

MR. BIANCO: We are there now.

CHAIRMAN WHITEHURST: Okay.

COMMISSIONER ORLOWSKI: So you're aware of the things that go on there every day.

MR. BIANCO: Yes, I am. Although, I'm not aware of anything at 4:30 in the morning, because I'm not there at 4:30 in the morning.

MR. NORMAN: Because you don't live next door.
MR. BIANCO: I know the police have been there several times, but to my knowledge I don't know that anybody's been issued a ticket, so --

MR. NORMAN: After a while you just give up. These clowns with those trucks just do whatever the hell they want. Look at the mud going down Villa Avenue.

CHAIRMAN WHITEHURST: Sir --

MR. NORMAN: I'm sorry. This is not the venue.

CHAIRMAN WHITEHURST: I understand. We just need to keep this to commissioner comments. So that's where we are in the agenda. So any other comments? I think we've had a couple.

COMMISSIONER LANENGA: I agree with what we said earlier, you know. There's a problem. I get that. I rode past it. You're right. It's a dirty street right now. It's a mess. If it rains, it's going to be worse. I get that.

To me, that doesn't have an effect on this. It's hard paved. It's not gravel. It's not dirt. It's a totally separate entity that we really have no control over the stuff to the south. And
the petitioner has done everything we've asked him
to do, and I propose to vote yes.

CHAIRMAN WHITEHURST: So here's how I feel is
that the petitioner is coming, and this is a good
development for this location in terms of cleaning
up the site, getting a building on it, going to meet
our planting ordinances. I think -- Commissioner
Jackson, I think the petitioner was just unclear as
to what his drawings showed. I think that they
actually agree. The problem is the landscape plan,
which we heard they fully intend to comply and
exceed in terms of the number of trees. That has to
be worked out with Village Staff, and certainly
before a permit can be issued there will be a
landscape plan that Staff can agree to that will at
minimum meet our ordinance and hopefully exceed it.

On the other hand, so from a strictly
planning and zoning and looking at the property and
going through the process and looking at the
drawings, I'm a -- yeah. It's a good development.
It meets good planning and zoning practice for this
district. You know, all those particular findings
However, it's the same people that are operating a business right next door in a way that's very detrimental to the neighbors, and I think more -- there's more uses on that lumberyard site than I ever thought that there was going to be, and I think it's the case where it becomes an unoccupied facility, someone buys it, they start throwing things out, and you've got multiple businesses. We would never -- if it would have come before us we would have talked about these piles of material that have to be -- you know, elevations where they're not going to be going throwing in the neighbors' yards, where they would have to be stored in a proper way. I mean, conditions we would have on this type of use in that neighborhood would have been as long as your arm. So we didn't get that opportunity because of this continued use that happened because it was an existing property.

So I guess what I would say to the Village Board in our recommendation, and they'll certainly read what our minute are, is that they need to weigh
that against, you know, this decision to this owner, and is there a way that they can work with the owner to mitigate some of this disruption, quite frankly, in the neighborhood, and the impact all these uses are having on the neighborhood that, you know, given any other sort of formal procedure we would have all talked about, Village Board would have had conditions on it, and that's where I see the gap being. So that's beyond us to do that, and I don't know retroactively how the board can do it. That would be my approach is to say, yeah, planning and zoning-wise, I would vote for approval on this.

In the bigger picture, there needs to be a discussion with this owner to figure out how they can be better neighbors and coexist in a way that meets what our base ordinance would be for having this type of a use against a residential use, which it just does not. And when I look at the pictures from the neighbor, it just does not. So that's how I'm going to approach it. I can't speak for everybody else.

COMMISSIONER BELLOWS: I guess my question would
be what are you doing about the tenant, about the lease? Is there any action that you're -- are you just letting --

MR. BIANCO: Yes, there is. But there's only so much we can do other than raising his rent or -- the previous -- as I said last month, the previous tenant, Art's Trucking, was much worse, and we just kicked him out when his lease was up. But unfortunately for everybody, Scott has a lease that we can't just break.

COMMISSIONER BELLOW: And how long is that lease?

MR. BIANCO: I'm not sure.

COMMISSIONER BELLOW: Well, I think I would know how long that lease was and exactly what my window was.

CHAIRMAN WHITEHURST: So I guess we keep getting into issues that are beyond our purview, and I can't, you know, tell you how to -- you need to vote the way that you're led to vote, so -- but just my understanding of what we're supposed to be here is about planning and zoning, so that's the way I'm
going to look at it. But certainly, you know, other discussion or comments. I just wanted to relay my thinking, because certainly there is a discussion we had, and Village needs to pursue whatever they can to mitigate this, because it's not -- it's not a sustainable way of operating.

COMMISSIONER BELLOW: I agree.

COMMISSIONER LANENGA: How do you suggest we do that?

CHAIRMAN WHITEHURST: I think it's going to have to be Village Board and an attorney level and everything else, because they're just not compliant with that kind of a use in a residential area, and to me it has a big impact on the entire area. It's not just the residential neighbors. It's actually the new development that's been done, you know, which they followed ordinance, they came in, they built buildings to code, right, all in the curb cuts, everything else, that this property that we're having complaints about is the anomaly, so --

Okay. Any other discussion? If there's none, we can have a motion.
COMMISSIONER JACKSON: It's just a problem that's going to grow, in my opinion, and it's going to force these people to leave, and they're going to be hit financially selling their property and leaving with their tail between their legs for whatever price they get for their property. Nobody's going to want to live there, move there. I think we need to address it now, I think. There's a lot of emotion that goes into this, obviously, you see with the folks, and we can look at it and be completely objective and be logical, but I think that there is a part of us that has a responsibility to our villagers and our people here to say that we need to see some changes in order to allow this. We need to see some changes from tenants. But he is directly responsible for his tenants. And he wants to build out and have more tenants and grow this, and it's just going to be more of a problem that Village will have to deal with. And if we're not going to look at that then, you know, are we doing our job? I don't know. That's my opinion.

CHAIRMAN WHITEHURST: And you're entitled to
COMMISSIONER JACKSON: Thanks. Appreciate that.

CHAIRMAN WHITEHURST: And I wasn't trying to sway anyone from -- I'm just kind of relaying what my thoughts were.

Anyone else.

COMMISSIONER LANENGA: It feels like a no vote would be a little bit disingenuous considering we set guidelines for what we hoped he would do. He did, I think, every one of them as we requested, and to again confuse the issue with the separate parcel, the separate property, seems like it would be not a fair thing to do, in my opinion.

COMMISSIONER ORLOWSKI: Yeah. But it's also -- he's not just asking for the development. He's asking to be annexed. Annexation into the Village, which if you're already a bad neighbor and you're asking to be annexed in and looking for more than just something normal, that's the point that I'm looking at.

We've made many comments during every
meeting about the issues in your current location, and nothing's changed since then. And if somebody was giving me hints on issues, I would be trying -- on the side, trying to get all that fixed. That's what I'm -- and you don't even know when the lease is up on the tenants that all the complaints are coming in on. I would think -- me, personally, I would have been checking all of that. That's what's giving my -- that's where the headaches are for any new development.

CHAIRMAN WHITEHURST: The problem with the new development isn't the new development.

COMMISSIONER ORLOWSKI: And seeing that you are asking for the development and annexation into the Village, that's where I feel that, yes, I have to look out for what's best for not just you but everybody in that area.

CHAIRMAN WHITEHURST: Good point.

COMMISSIONER CALVERT: I think my biggest concern is this area to the west of the building here. I just see that potentially as being a continuation or another place where we have clutter...
and debris. I would hope, I guess, at some point that it's considered that exterior storage of materials and supplies and equipment is not allowed.

CHAIRMAN WHITEHURST: That's correct. It's not allowed in this district.

MR. GRILL: Well, certainly not without some additional screening requirements, and as part of the annexation you can actually specifically prohibit if you wanted to.

CHAIRMAN WHITEHURST: I think that should be -- if there's a motion to approve, that should be included with it. No exterior storage, period.

COMMISSIONER CALVERT: Materials, supplies, and trucks or equipment. All of that.

COMMISSIONER ORLOWSKI: And we've already talked about that in prior meetings about this as far as external storage, other vehicles being parked there outside overnight.

CHAIRMAN WHITEHURST: Yeah. In the past we did.

I think reannexation is a really good point. It's not just a straight zoning. It's also
COMMISSIONER ORLOWSKI: Right.

COMMISSIONER ROMANO: Can we amend the motion for those -- I mean, I guess if it's going to be a business, I'm hesitant to say you can't park your business trucks on your property overnight. I mean, that's -- to me, that's where a line is. Materials and storage in back of buildings, facing the residential, I would definitely support. But can we make on-the-fly here amendments?

MR. GRILL: Well, since a motion hasn't even been made yet, yes, you can.

COMMISSIONER BELLOW: Or trucks in excess of a certain size maybe.

MR. GRILL: Would you like me to give you one?

CHAIRMAN WHITEHURST: Yes. Can we discuss conditions?

MR. GRILL: Okay. Well, if you were so inclined, you could entertain a motion to approve PZ-18-0010 for annexation into the Village and rezoning to M-1 subject to the following plans from the petitioner. And I think this is in the memo.
Site plan labeled sheet A1 prepared by Richard F. Rogers and last dated March 26th, 2019, a landscape plan labeled sheet L1, prepared by Richard F. Rogers and last dated March 26, 2019, to be modified to meet at a minimum the Village Code as it relates to landscaping, elevation plans labeled sheets A6 and A7, prepared by Richard F. Rogers as included in this memo, and no exterior storage of materials on the property.

CHAIRMAN WHITEHURST: Okay.

COMMISSIONER LANENGA: I'd like to make a motion to approve application PZ-18-0010 for the following. Annexation and rezoning to subject parcels M-1, subject to the following plans submitted by the petitioner, site plan labeled sheet A1, prepared by Richard F. Rogers and last dated March 26, 2019, landscape plan labeled sheet L1 prepared by Richard F. Rogers and last dated March 26, 2019, to be modified to at least meet Village Code related to landscaping, elevation plans labeled as sheets A6 and A7 prepared by Richard F. Rogers as included in this memo, and, finally, no exterior
storage of materials on the property.

CHAIRMAN WHITEHURST: There's a motion. Is there a second on the motion?

COMMISSIONER ROMANO: I'll second.

CHAIRMAN WHITEHURST: Any questions or comments on the motion? Hearing none, we'll vote by roll call.

Romano.

COMMISSIONER ROMANO: Yes.

CHAIRMAN WHITEHURST: Calvert.

COMMISSIONER CALVERT: No.

CHAIRMAN WHITEHURST: Jackson.

COMMISSIONER JACKSON: No.

CHAIRMAN WHITEHURST: Bellow.

COMMISSIONER BELLOW: Yes.

CHAIRMAN WHITEHURST: Orlowski.

COMMISSIONER ORLOWSKI: No.

CHAIRMAN WHITEHURST: Lanenga.

COMMISSIONER LANENGA: Yes.

CHAIRMAN WHITEHURST: I'm going to vote no.

With that, our -- well, so that motion fails. We actually have to have another motion that would be a
no motion that we would not recommend approval.

Correct?

MR. GRILL: (Nod of head.)

CHAIRMAN WHITEHURST: And we have to vote on that, so we need another motion indicating that we do not recommend approval of the application number, and then we need to have a second and vote accordingly, okay. That's how we have to proceed.

COMMISSIONER ORLOWSKI: I'd like to make a motion to a no vote for the application PZ-18-0010.

COMMISSIONER JACKSON: I'll second.

CHAIRMAN WHITEHURST: Second. Any questions or comments on that motion?

COMMISSIONER ROMANO: So I vote no for the no vote?

CHAIRMAN WHITEHURST: So do you want to read back what the motion was, please.

(Whereupon, the record was read.)

CHAIRMAN WHITEHURST: So then you would vote yes.

MR. GRILL: So a yes is a no vote on this.

COMMISSIONER JACKSON: So we got the yeses over
here, and the nos over here.

CHAIRMAN WHITEHURST: Everybody clear? Okay. Any other questions? Any other people think that the motion should be amended or changed? Okay.

All right. So then we're going to -- the motion stands as it was. We have a second. The second still? Second still in agreement?

COMMISSIONER JACKSON: (Nod of head.)

CHAIRMAN WHITEHURST: So let's move to a vote. Romano.

COMMISSIONER ROMANO: No.

CHAIRMAN WHITEHURST: Calvert.

COMMISSIONER CALVERT: Yes.

CHAIRMAN WHITEHURST: Jackson.

COMMISSIONER JACKSON: Yes.

CHAIRMAN WHITEHURST: Bellow.

COMMISSIONER BELLOW: No.

CHAIRMAN WHITEHURST: Orlowski.

COMMISSIONER ORLOWSKI: Yes.

CHAIRMAN WHITEHURST: Lanenga.

COMMISSIONER LANENGA: No.

CHAIRMAN WHITEHURST: Whitehurst, yes. So what
we have done is we have recommended to Village Board that they reject this application, and I think specifically it was annexation more than zoning, but our recommendation passes to the Village Board. They can either accept, reject, or modify. They're the final body having say, okay. Thank you all.

(Whereupon, the public hearing was concluded.)
STATE OF ILLINOIS

COUNTY OF DU PAGE

I, MARY FAILLO, C.S.R. No. 084-004565, duly qualified by the State of Illinois, County of Du Page, do hereby certify that at the request of the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, subject to the usual terms and conditions of County Court Reporters, Inc., reported in shorthand the proceedings had and testimony taken at the public hearing of the above-entitled cause, and that the foregoing transcript is a true, correct and complete report of the entire testimony so taken at the time and place hereinabove set forth.

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April 11, 2019

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VILLAGE OF VILLA PARK
PLANNING & ZONING COMMISSION

IN RE THE MATTER OF: )
) Petition PZ-19-0002
Text Amendments to ) Appendix C, Villa Park )
Appendix C, Villa Park ) Zoning Ordinance. )

PUBLIC HEARING OF THE
PLANNING & ZONING COMMISSION
APRIL 11, 2019
7:30 P.M.

PROCEEDINGS HAD and testimony taken before

the VILLAGE OF VILLA PARK PLANNING & ZONING
COMMISSION, taken at Villa Park Village Hall, 20
South Ardmore Avenue, Villa Park, Illinois, before
MARY E. FAILLO, C.S.R., qualified in the State of
Illinois.
BOARD MEMBERS PRESENT:

MR. ROBIN WHITEHURST, Chairman
MR. MIKE ORLOWSKI
MR. LARRY CALVERT
MR. KEN JACKSON
MR. DOMINICK ROMANO
MS. LINDA J. BELLOW
MR. JACK LANENGA

ALSO PRESENT: MR. PATRICK GRILL, Director of Community Development
CHAIRMAN WHITEHURST: Okay. We do have one more item of business tonight. Is there any desire by commission members for a break, or do you want to proceed?

(Whereupon, there was a discussion off the record.)

CHAIRMAN WHITEHURST: Sounds like that's pretty unanimous. Okay. So we have tonight petition PZ-19-0002. Text Amendment to Appendix C, Villa Park Zoning Ordinance, and in this case the Village of Villa Park is the petitioner, and Director Grill will be speaking on behalf of the Village.

MR. GRILL: Good evening. There are three proposed text amendments that are being considered this evening. The first is relative to where we allow personal vehicle sales and rentals. That's automobiles for, you know, personal use. The current code does not allow personal vehicle sales and rentals in the M-1 or M-2 district. However, we do allow commercial vehicle sales. So trucks can be sold and rented in M-1 and M-2 districts. Auto repair for -- personal and commercial auto repair is
permitted by right in an M-1 and M-2. The previous
code permitted personal auto sales and rentals in an
M-1 or M-2. I think as we were going through the
use tables that -- and I looked back at some of my
notes. I did have it that it was going to be added
as a permitted use, personal vehicle sales and
rentals, as permitted by right in an M-1 and M-2
district, but for whatever reason, in all of the
various versions of the amended code that we got,
obody caught that it had been, I believe, left out,
and I think we need to add that back in as a
permitted use in the M-1 and M-2 districts.

COMMISSIONER ORLOWSKI: Could be a problem if
we don't.

MR. GRILL: We have a lot of non-conformities.
The second is a -- actually, this issues
dates back to 2010 when the Village Board approved
ordinance 3617 as it related to electronic
billboards and licensing in the Village. For
whatever reason, that particular ordinance amended
both the municipal code and the zoning ordinance.
This body actually voted 6 to 0 in favor of an
amendment to add electronic billboards into the
zoning code, and then the Village Board chose to
accept that recommendation and then put additional
regulations into the municipal code as it relates to
regulating electronic billboards.

Those amendments never made it into not
only the zoning ordinance, they never made it into
the Village Code either. When this was brought to
the Village Board’s attention they said, oh, that
was an oversight. We think we want to add that back
in. But because the Village Board adopted a new
zoning ordinance, even if it had been put in, it's
not in there anymore. So we would have to choose to
add that language back in as included in my memo.

And then the last text amendment relates
to winemaking. As you may be aware, we do allow for
microbreweries in most of our commercial districts
by right, but that relates only to beer and ale. It
does not include wine. We have somebody who is
interested in making wine in the Village, and so
Staff is proposing to add winemaking as a permitted
use in the same zoning districts that we allow
1 microbreweries.
2 So that sort of sums up the three text
3 amendments that are before you. And like in the
4 previous item, I do have comments from Commissioner
5 Jarrett that I would like to read. And he indicates
6 that I fully support the changes related to personal
7 vehicle sales in M districts, and the addition of
8 winemaking facilities as a permitted use. However,
9 I do have some concerns about the proposed amendment
10 regarding digital billboards. The amendment is
11 nearly a decade old, and I question the number of
12 location signs that this amendment might permit.
13 Particularly since the number of licenses could
14 potentially be increased without our review. I
15 would be in favor of revisiting more specifically
16 the locations in our Village where such signs might
17 make sense, and what our vision is in terms of the
18 number of such signs. Those are the comments of
19 Commissioner Jarrett.
20 CHAIRMAN WHITEHURST: Okay.
21 MR. GRILL: So with that, I'd entertain any
22 questions that the Commission may have.
CHAIRMAN WHITEHURST: Now, this is a hearing tonight, right, or no?

MR. GRILL: Correct.

CHAIRMAN WHITEHURST: It's a hearing.

MR. GRILL: It's a hearing.

CHAIRMAN WHITEHURST: All right. So we'll follow our agenda. You just spoke for petitioner and for Staff, so we go to public participation. Any members of the public wishing to speak in regards to this petition? Seeing none and hearing none, now we can move into questions by commission members.

COMMISSIONER ORLOWSKI: How did we miss all that? The one I remember talking about whenever we were going over all the zoning codes, and how it didn't make it in, I don't know.

CHAIRMAN WHITEHURST: The vehicles specifically?

COMMISSIONER ORLOWSKI: Yeah.

CHAIRMAN WHITEHURST: I think that one is very straightforward. I agree with Commissioner Jarrett on the billboards. There was a huge effort made to
write that, including going and witnessing up at the
Odium several different ways to operate an
electronic billboard. I think it needs to be
revisited. I agree that we need to do a little bit
of research, figure out what the current thinking
is, if that chapter one, subchapter path of the
highway as far as 522 for outdoor advertising still
has the limitations, that is going to reference how
quickly you can have an image change in a sign,
right? So we need to make sure that we still agree
with that in particular. So that one I think we
should consider separately. Though, to me, the
winemaking is pretty straightforward.

COMMISSIONER ORLOWSKI: Yeah.

CHAIRMAN BELLOW: Where is this going to go, or
where do they want to go? Just to be nosy.

CHAIRMAN WHITEHURST: We can't consider just
for one particular -- so we're talking in general
from a zoning and planning standpoint, what district
this use would be appropriate for, not one
particular petition; correct?

MR. GRILL: Correct.
COMMISSIONER BELLOW: I'm still curious where.

COMMISSIONER ROMANO: Off the top of my head, I don't know what it states, but kind of future proofing too, so we talked about microbreweries and beer and bottles of wines there. For spirits too, do we have anything in the code that says anything about that?

CHAIRMAN WHITEHURST: Distilleries. That's another trendy -- like Evanston has now a world famous distillery. That comes out of a state license.

MR. GRILL: That's a state license, yes.

CHAIRMAN WHITEHURST: Great.

COMMISSIONER ORLOWSKI: I'll ask one question. The winemaking, is that -- we've kind of mirrored exactly the same districts as we allow alcohol?

COMMISSIONER JACKSON: Microbrewery.

COMMISSIONER ORLOWSKI: Microbrewery.

MR. GRILL: Staff is proposing allowing winemaking in the exact same districts as microbreweries, yes.

COMMISSIONER ORLOWSKI: Okay. I'm good with
MR. GRILL: And certainly if you wanted to add distilling. The only reason Staff did not include distilling is because there is no limit from the state regulations as it relates to distillers, and it would be permitted in an M-1 or M-2 district.

CHAIRMAN WHITEHURST: Right now.

MR. GRILL: Correct.

CHAIRMAN WHITEHURST: Okay.

MR. GRILL: But, you know, this does. And if the person wanted to make the wine in an M-1 or M-2, they could do that and wouldn't need any changes to the ordinance. This particular individual wants to be able to do it in a commercial district and have tastings available.

CHAIRMAN WHITEHURST: And, again, a distillery -- the question is a good one, because the distillery industry is doing the same thing with the restaurant or food or some other --

MR. GRILL: Right.

COMMISSIONER ROMANO: So future proof it now.

MR. GRILL: Whereas, the state statute limits
the amount of wine you can make in a given location.

It doesn't have that sort of specification on distilled spirits.

COMMISSIONER JACKSON: We'll have to get a micro distillery come back to us later, I think.

MR. GRILL: You could choose to just make it the same as either the winemaking or the microbrewing.

CHAIRMAN WHITEHURST: I have no idea that even 50,000 gallons of, you know, whatever, bourbon, or whatever, I have no idea if that's --

COMMISSIONER JACKSON: We call that white lightning. We don't get barrels if we're selling from a bar.

CHAIRMAN WHITEHURST: I think unless we did some research we should leave it out and then wait until someone comes in that wants to talk about having a restaurant and having a distillery, and then we can tackle it, and they can do the research and convince us that it's a good thing, and not going to have a negative impact on the community.

MR. GRILL: The Village hasn't been approached
by a distillery, but we have been approached by a
mead maker.

    COMMISSIONER JACKSON: If we approve this, we
just don't include the third point; correct?
    MR. GRILL: Correct.
    COMMISSIONER JACKSON: Don't even mention it.
    COMMISSIONER ORLOWSKI: Well, no. That would
be the second bullet.
    COMMISSIONER JACKSON: Second bullet.
    MR. GRILL: Yes. Leave the second bullet point
out, yes.
    CHAIRMAN WHITEHURST: Yes.
    COMMISSIONER LANENGA: On 8.2.16, on the second
page of your memo you refer to the signs on vacant
lots. What does it mean, you're allowed to have
electronic billboards on vacant lots along side of
real estate signs?
    MR. GRILL: Again, this is pulled directly from
that original ordinance, and my only thought was
that the Planning & Zoning Commission and the
Village Board wished to give somebody who owned
property along those roadways the ability to have
only a electronic billboard on those properties.
You know, normally signage is considered accessory
to the principal use of the property, but in this
particular instance where you would be allowed to
have -- your sign would be your principal use of the
property if it were vacant. Again, I don't know. I
didn't go back and read the minutes in 2010, and
only Mike and Robin were around then.

      COMMISSIONER ORLOWSKI: I don't want to spend
two years on this.

      CHAIRMAN WHITEHURST: No. Okay. Any other
questions? Any closing comments of petitioner?

      MR. GRILL: Staff would have no problem if you
left out the second bullet point as part of your
recommended motion.

      CHAIRMAN WHITEHURST: Okay.

      MR. GRILL: The only thing that I would want
some clarification on is do you want Staff to
provide more input on that at a future meeting, or
do you want to say no?

      CHAIRMAN WHITEHURST: I thought this was in
there.
COMMISSIONER ORLOWSKI: You need to revisit the whole thing.

MR. GRILL: Okay.

CHAIRMAN WHITEHURST: And all the work we do on this before said we need to have something in our ordinance to control this, because it can be done, you know --

COMMISSIONER ORLOWSKI: A mini Vegas.

CHAIRMAN WHITEHURST: Exactly. If you start thinking about St. Charles Road, every single one of those businesses having one of these things, so that's why I talked about North Avenue and Roosevelt Road.

MR. GRILL: I will tell you, every month somebody requests an electronic message board on St. Charles Road.

COMMISSIONER JACKSON: And do they also offer gambling? Just kidding.

CHAIRMAN WHITEHURST: So we need to get in it there, and we probably need to get it in there sooner than later, because it's issues like that that -- but I agree with -- we have to make sure
that we're contemporary. And maybe there's another
city that has done the deep dive and has the
info, but like the first -- item number one, that
would be my first item number one. It's only on
these two roads. All right.

COMMISSIONER JACKSON: All right. I'll make a
motion. Anything else before I do that?

I make a motion to approve application
PZ-19-0002 for a text amendment to the following
table of articles of Appendix C of the municipal
code. Table 6-1 indicating personal vehicle sales
and rentals as permitted uses in the M-1 and M-2
zoning districts, as well as Article 6 adding a
definition for winemaking facilities as a permitted
use in the C-2, C-3, MX-1, MX-2, MX-3, and MXD
zoning districts.

CHAIRMAN WHITEHURST: There's a motion. Is
there a second?

COMMISSIONER BELLOW: Second.

CHAIRMAN WHITEHURST: Second. Any questions or
comments on the motion? Hearing none, we'll vote by
roll call.
Commissioner Romano.

COMMISSIONER ROMANO: Yes.

CHAIRMAN WHITEHURST: Calvert.

COMMISSIONER CALVERT: Yes.

CHAIRMAN WHITEHURST: Jackson.

COMMISSIONER JACKSON: Yes.

CHAIRMAN WHITEHURST: Bellow.

COMMISSIONER BELLOW: Yes.

CHAIRMAN WHITEHURST: Orlowski.

COMMISSIONER ORLOWSKI: Yes.

CHAIRMAN WHITEHURST: Lanenga.

COMMISSIONER LANENGA: Yes.

CHAIRMAN WHITEHURST: And I too vote yes.

Thank you.

(Whereupon, the public hearing was concluded.)
I, MARY FAILLO, C.S.R. No. 084-004565, duly qualified by the State of Illinois, County of Du Page, do hereby certify that at the request of the VILLAGE OF VILLA PARK PLANNING & ZONING COMMISSION, subject to the usual terms and conditions of County Court Reporters, Inc., reported in shorthand the proceedings had and testimony taken at the public hearing of the above-entitled cause, and that the foregoing transcript is a true, correct and complete report of the entire testimony so taken at the time and place hereinabove set forth.

Mary Faillo
MARY FAILLO, CSR, RPR

County Court Reporters, Inc.
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